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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/743,456	12/23/2003	Cheng Che Pan	08954.0012	8149
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FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER LLP 901 NEW YORK AVENUE, NW WASHINGTON, DC 20001-4413			DUONG, TAI V	
			ART UNIT	PAPER NUMBER
			2871	

DATE MAILED: 09/20/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION. Extensions of time may be available under the provisions of 3°CFR 1.36(s). In no event, may a regly be timely filled. 1 NO period for regly is specified above, the mashimum statutory period will apply and will expire SIX (8) MONTHS from the malling date of this communication. Failure to regive within the set or extended period for regly in specified above, the mashimum statutory period will apply and will expire SIX (8) MONTHS from the malling date of this communication. Failure to regive within the set or extended period for regly in specified above, the mashimum to become ABANDONED (36 U.S. £ 9 139). Any rophy received by the Office set of this communication, even if timely filled, may reduce any searmed plaentime adjustment. Set 3° FCFR 1.704(b). Status 1) Responsive to communication(s) filled on		Application No.	Applicant(s)					
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Election/Restrictions

Restriction to one of the following inventions is required under 35 U.S.C. 121:

- 1. Claims 1-4, drawn to a curing method, classified in class 430, subclass 6.
- II. Claims 5-16, drawn to a curing apparatus, classified in class 430, subclass321.
- III. Claims 17-19, drawn to a liquid crystal display cell, classified in class 349, subclass 153.

The inventions are distinct, each from the other because of the following reasons:

Inventions I and II are related as process and apparatus for its practice. The inventions are distinct if it can be shown that either: (1) the process as claimed can be practiced by another materially different apparatus or by hand, or (2) the apparatus as claimed can be used to practice another and materially different process. (MPEP § 806.05(e)). In this case, the process can be practiced by a different curing apparatus having *one* stage and *one* irradiation unit.

Inventions I and III are related as process of making and product made. The inventions are distinct if either or both of the following can be shown: (1) that the process as claimed can be used to make other and materially different product or (2) that the product as claimed can be made by another and materially different process (MPEP § 806.05(f)). In the instant case, the process can be used to make an electroluminescent (EL) display cell, instead of a liquid crystal display cell.

Inventions II and III are related as apparatus and product made. The inventions in this relationship are distinct if either or both of the following can be shown: (1) that the

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apparatus as claimed is not an obvious apparatus for making the product and the apparatus can be used for making a different product or (2) that the product as claimed can be made by another and materially different apparatus (MPEP § 806.05(g)). In this case, the liquid crystal display cell can be made by a different curing apparatus having one stage and one irradiation unit.

Because these inventions are distinct for the reasons given above and the search required for Group I is not required for Group II and Group III, and vice versa, restriction for examination purposes as indicated is proper.

Further, *Group II* contains claims directed to the following patentably distinct species of the claimed invention:

A(II): claims 5-7 and 12-16 drawn to the curing apparatus comprising a first irradiation unit and a second irradiation unit arranged on opposite sides of the first and second stages.

B(II): claims 8-11 drawn to the curing apparatus comprising a first irradiation unit and a second irradiation unit arranged on the same side of the first and second stages.

If *Group II* is elected, Applicant is required under 35 U.S.C. 121 to elect a single disclosed species for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable. Currently, none of the claims is generic.

Applicant is advised that a reply to this requirement must include an identification of the species that is elected consonant with this requirement, and a listing of all claims readable thereon, including any claims subsequently added. An argument that a claim

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is allowable or that all claims are generic is considered nonresponsive unless accompanied by an election.

Upon the allowance of a generic claim, applicant will be entitled to consideration of claims to additional species which are written in dependent form or otherwise include all the limitations of an allowed generic claim as provided by 37 CFR 1.141. If claims are added after the election, applicant must indicate which are readable upon the elected species. MPEP § 809.02(a).

Should applicant traverse on the ground that the species are not patentably distinct, applicant should submit evidence or identify such evidence now of record showing the species to be obvious variants or clearly admit on the record that this is the case. In either instance, if the examiner finds one of the inventions unpatentable over the prior art, the evidence or admission may be used in a rejection under 35 U.S.C. 103(a) of the other invention.

Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).

Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a request under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

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Any inquiry concerning this communication should be directed to Tai Duong at telephone number (571) 272-2291.

The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

DUNGT. NGUYEN PRIMARY EXAMINER

TVD

09/05